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October 27th, 2018

The Honorable Paul A. Engelmayer
United States District Court
Southern District of New York - Courtroom 1305
Thurgood Marshall United States Courthouse
40 Foley Square
New York, New York 10007

Re: Antolini vs. Wort, PEI Mussel Kitchen LLC et al
Case No.: 1:18-cv-04055-PAE
Motion Letter to Strike Pleadings and In Opposition to
Defendants' Motion for Summary Judgment

Dear Judge Engelmayer,

I represent the Plaintiff in the above matter and in accordance with your Individual Rules of Practice 2.C., we seek to strike Defendants PEI Mussel Kitchen, LLC, Anthony Felzen, Robert Shapiro, Laura Shapiro and Alexandra Shapiro's pleadings. In addition, Plaintiff opposes the defendants' Motion for Summary Judgment and will seek to file his Motion for Summary Judgment at the conclusion of Discovery proceedings. Defendants' pre-Letter Motion is rife with false premises, self-serving statements and is wholly devoid of correct case and statutory law.

There has been a meet and confer with the attorney of record Daniel Moretti during the first week of this month, and with his associate Sonali Setia on October 5, 2018 regarding the Discovery Responses that are due and owing to Plaintiff. Nonetheless, the process did not resolve the ongoing dispute and hence this writing to the Court.

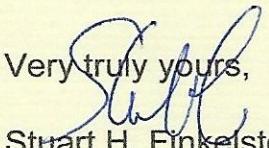
The responses that are missing go to very gravamen of this lawsuit and dovetail into the denials and affirmative defenses pled by these defendants.

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I have attached as an Exhibit the responses by defendants and have highlighted for the Court's expediency.

If the Court requires any further information as to our opposition to their motion for summary judgement we will of course be guided by that instruction.

Respectfully, I remain,

Very truly yours,

Stuart H. Finkelstein

SHF/tc
cc To all Counsel of record via ECF